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PATENT TRADEMARK OFFICE

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PATENT

Customer No. 22,852

Attorney Docket No. 05725.0347-01

Application No.: 10/052,470

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Carolyn CAES et al.

Application No.: 10/052,470

Filed: January 23, 2002

For: COSMETIC COMPOSITIONS
CONTAINING DI-BLOCK, TRI-
BLOCK, MULTI-BLOCK AND
RADIAL BLOCK COPOLYMERS

Commissioner for Patents and Trademarks
Washington, DC 20231

Sir:

TERMINAL DISCLAIMER

Assignee, L'Oréal S.A., duly organized under the laws of FRANCE and having its principal place of business at 14, Rue Royale, 75008, Paris, France, through its attorneys, represents that it is the assignee of the entire right, title and interest in and to the instant application, Application No. 10/052,470, filed January 23, 2002, in the names of Carolyn CAES, Gary G. GRAVES, Mohamed G KANJI, Margarita MONTES DE OCA, Greg NORMAN, Carl, ORR, and Paul THAU, for COSMETIC COMPOSITIONS CONTAINING DI-BLOCK, TRI-BLOCK, MULTI-BLOCK AND RADIAL BLOCK COPOLYMERS, as indicated by assignment duly recorded in the U.S. Patent and Trademark Office at Reel 010045, Frame 0469, on June 22, 1999, in

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the parent application, Application No. 09/258,809, now issued as U.S. Patent No. 6,423,306.

Assignee, L'Oréal S.A. further represents that it is the assignee of the entire right, title and interest in and to Application No. 09/258,809, filed February 26, 1999, now issued as U.S. Patent No. 6,423,306, in the names of Carolyn CAES, Gary G. GRAVES, Mohamed G KANJI, Margarita MONTES DE OCA, Greg NORMAN, Carl, ORR, and Paul THAU, for COSMETIC COMPOSITIONS CONTAINING DI-BLOCK, TRI-BLOCK, MULTI-BLOCK AND RADIAL BLOCK COPOLYMERS as indicated by assignment duly recorded in the United States Patent and Trademark Office at Reel 010045, Frame 0469, on June 22, 1999.

Evidentiary documents have been reviewed and, to the best of the undersigned's knowledge and belief, title to both the instant application and the U.S. patent listed above is in the assignee submitting this Terminal Disclaimer.

To obviate a double patenting rejection, Assignee hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer, of U.S. Patent No. 6,423,306. Assignee hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it is commonly owned with U.S. Patent No. 6,423,306. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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In making the above disclaimer, Assignee does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of U.S. Patent No. 6,423,306, as presently shortened by any terminal disclaimer, in the event that U.S. Patent No. 6,423,306 later expires for failure to pay a maintenance fee, are held unenforceable, are found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or in part, is terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

In accordance with the fee schedule set forth in 37 C.F.R. § 1.20(d), the required fee of \$110.00 is being filed with this disclaimer.

If a check for the required fee is not filed concurrently herewith or if there are any additional fees due in connection with the filing of this Terminal Disclaimer, please charge the fees to our Deposit Account No. 06-0916. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

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Dated: February 19, 2003

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